

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

LEK SECURITIES CORPORATION et al.,
Defendants.

CASE NO. 17-CV-1789 (DLC)

**PLAINTIFF'S NOTICE OF MOTION *IN LIMINE* TO
PRECLUDE STRICKEN AFFIRMATIVE DEFENSES AND EVIDENCE AND
ARGUMENTS RELATED THERETO**

PLEASE TAKE NOTICE THAT upon the accompanying memorandum of law, served upon counsel for the Avalon Defendants on this date, plaintiff U.S. Securities and Exchange Commission ("SEC") moves this Court for an Order precluding defendants from (i) arguing or implying, in the presence of the jury, that evidence related to their fourth, fifth, sixth, and seventh affirmative defenses, which have been stricken, serve as defenses to or lessen their liability for the manipulation and other charges at issue in this case; and (ii) presenting, referring to, or mentioning in front of the jury evidence or arguments related to these affirmative defenses.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Scheduling Order (ECF No. 384), the Avalon Defendants shall serve opposing papers, if any, no later than September 27, 2019, and the SEC shall have to and including October 2, 2019 to reply.

Dated: September 13, 2019

Respectfully submitted,

/s/ Sarah S. Nilson

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 13, 2019, I filed the foregoing document on CM/ECF and thereby served all counsel of record.

/s/ Sarah S. Nilson
Sarah S. Nilson